



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2022-1002; Airspace Docket No. 22-ASW-20]

RIN 2120-AA66

Amendment and Revocation of Class E Airspace; Bartlesville and Miami, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends and removes Class E airspace at Bartlesville and Miami, OK.

This action is due to airspace reviews conducted as part of the decommissioning of the Oswego very high frequency (VHF) omnidirectional range (VOR) as part of the VOR Minimal Operational Network (MON) Program. The name and geographic coordinates of the airports and navigation aids are also being updated to coincide with the FAA's aeronautical database.

DATES: Effective 0901 UTC, February 23, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends the Class E surface airspace and Class E airspace extending upward from 700 feet above the surface at Bartlesville Municipal Airport, Bartlesville, OK; amends the Class E airspace extending upward from 700 feet above the surface at Miami Regional Airport, Miami, OK; and removes the Class E airspace extending upward from 700 feet above the surface at Jane Phillips Medical Center Heliport, Bartlesville, OK, and Baptist Regional Health Center Heliport, Miami, OK, to support instrument flight rule operations at these airports.

History

The FAA published a notice of proposed rulemaking in the *Federal Register* (87 FR 51621; August 23, 2022) for Docket No. FAA-2022-1002 to amend and remove Class E airspace at Bartlesville and Miami, OK. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraphs 6002 and 6005, respectively, of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is

publicly available as listed in the ADDRESSES section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to 14 CFR 71:

Amends the Class E airspace surface airspace to within a 4.1-mile (decreased from 4.3-mile) radius of Bartlesville Municipal Airport, Bartlesville, OK; and within 1 mile each side of the 359° bearing from the airport extending from the 4.1-mile radius to 4.6 miles north of the airport; and within 1.5 miles each side of the Bartlesville VOR/DME 168° radial extending from the 4.1-mile radius of the airport to 4.4 miles south of the airport; and within 1 mile each side of the 179° bearing from the airport extending from the 4.1-mile radius to 4.5 miles south of the airport; removes the exclusionary language from the airspace legal description as there is no technical requirement for this area and it imposes on protected airspace needed for the current public instrument procedures; updates the geographic coordinates of the airport to coincide with the FAA's aeronautical database; and replaces the outdated terms "Notice to Airmen" with "Notice to Air Missions" and "Airport/Facility Directory" with "Chart Supplement";

Amends the Class E airspace extending upward from 700 feet above the surface to within a 6.6-mile (decreased from a 6.8-mile) radius of Bartlesville Municipal Airport; amends the extension north of the airport to within 4 miles (increased from 2.2 miles) each side of the 359° bearing from the Bartlesville Municipal: RWY 17-LOC (previously Dewie LOM) extending from the 6.6-mile (decreased from 6.8-mile) radius of the airport to 14.1 miles (increased from 11.7 miles) north of the airport; amends the extension south of the airport to 4.1 miles east and 7.6 miles west (previously 1.6 miles each side) of the Bartlesville VOR/DME 168° (previously 176°) radial extending from the 6.6-mile (decreased from 6.8-mile) radius to 15.5 (increased from 11.3) miles south of the Bartlesville VOR/DME (previously the airport); removes the extension north of the airport from the Bartlesville VOR/DME as it is no longer needed; removes

the Jane Phillips Medial Center Heliport point in space and associated airspace as the associated instrument procedures have been cancelled and the airspace is no longer required; removes the Dewie LOM from the airspace legal description as it is no longer required; and updates the geographic coordinates of the airport and the Bartlesville VOR/DME to coincide with the FAA's aeronautical database;

And amends the Class E airspace extending upward from 700 feet above the surface to within a 6.5-mile (decreased from a 7.3-mile) radius of Miami Regional Airport, Miami, OK; removes the Baptist Regional Health Center Heliport point in space coordinates and associated airspace from the airspace legal description as the associated instrument procedures have been cancelled and the airspace is no longer required; and updates name of the airport to coincide with the FAA's aeronautical database.

This action is due to airspace reviews conducted as part of the decommissioning of the Oswego VOR, which provided navigation information for the instrument procedures at these airports, as part of the VOR MON Program.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the

Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6002. Class E Airspace Areas Designated as Surface Areas.

* * * * *

ASW OK E2 Bartlesville, OK [Amended]

Bartlesville Municipal Airport, OK
(lat. 36°45'48"N., long. 96°00'40"W.)
Bartlesville VOR/DME
(lat. 36°50'04"N., long. 96°01'06"W.)

Within a 4.1-mile radius of Bartlesville Municipal Airport; and within 1 mile each side of the

359° bearing from the airport extending from the 4.1-mile radius of the airport to 4.6 miles north of the airport; and within 1.5 miles each side of the Bartlesville VOR/DME 168° radial extending from the 4.1-mile radius of the airport to 4.4 miles south of the airport; and within 1 mile each side of the 179° bearing from the airport extending from the 4.1-mile radius of the airport to 4.5 miles south of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Air Missions. The effective dates and times will thereafter be continuously published in the Chart Supplement.

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

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ASW OK E5 Bartlesville, OK [Amended]

Bartlesville Municipal Airport, OK
(lat. 36°45'48"N., long. 96°00'40"W.)
Bartlesville Municipal: RWY 17-LOC
(lat. 36°45'11"N., long. 96°00'39"W.)
Bartlesville VOR/DME
(lat. 36°50'04"N., long. 96°01'06"W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Bartlesville Municipal Airport; and within 4 miles each side of the 359° bearing from the Bartlesville Municipal: RWY 17-LOC extending from the 6.6-mile radius of the airport to 14.1 miles north of the airport; and within 4.1 miles east and 7.6 miles west of the Bartlesville VOR/DME 168° radial extending from the 6.6-mile radius of the airport to 15.5 miles south of the Bartlesville VOR/DME.

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ASW OK E5 Miami, OK [Amended]

Miami Regional Airport, OK
(lat. 36°54'33"N., long. 94°53'15"W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Miami Regional Airport.

Issued in Fort Worth, Texas, on November 22, 2022.

Steven T. Phillips,
Acting Manager, Operations Support Group,
ATO Central Service Center.

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